



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

December 12, 2006
Wells

Mayor Wells called the meeting to order at 7:00 pm.

PRESENT: Mayor Judee Wells, Councilmembers Carol Clemett, Aaron Sharp, and Bruce Young. Councilmember Richard Leider arrived at 7:45 pm.)

EXCUSED: Councilmember Tom Robinson.

STAFF: Clerk-Treasurer Sue Ann Spens, Town Marshal Walter Scott.

GUESTS: Sylvia Hobbs, Helen Lewis, Paula Dix.

MINUTES: It was the consensus of the Council that November minutes, as written do not fully reflect the Council's time and attention in discussing and enacting the tree moratorium. It was therefore the consensus of the Council to amend the November 14, 2006 minutes to include a paragraph that reads:

"The Council then held an extended discussion about the language of the ordinance, especially concerning exceptions for tree-cutting to allow necessary tree management and development to continue during the moratorium."

Councilmember Clemett moved to approve the November 14, 2006 minutes as amended.
Councilmember Sharp seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

WARRANTS: Councilmember Clemett moved to approve the December 12, 2006 warrant list, including warrant numbers 7198 through 7225 in the amount of \$19,838.56.

Councilmember Sharp seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

CLERK'S REPORT:

BUILDING SERVICES PROVIDER: Clerk-Treasurer Spens reported that she expected to receive a third proposal from an individual interested in providing building services to the Town. She then asked if Councilmember Sharp had a target date for his committee to review proposals and make a recommendation to the Council regarding replacing Huitt-Zollars. Councilmember Sharp answered that he plans to have a committee recommendation for the Council in January or February.

NO-WAKE ZONE BUOYS: Clerk-Treasurer Spens reported that on the costs to change the "Slow – No Wake" message on our buoys using buoy wrappers. Mayor Wells expressed

concern that this issue came before the Council due to actions taken by the Mercer Island Marine Patrol (MIMP) in dealing with one of our residents, particularly since MIMP is not under contract with the Town to provide marine-patrol services. Councilmember Clemett offered to do some additional research regarding the appropriate language for our situation and report back to the Council with a recommendation at a future meeting. She will also contact MIMP to discuss their concerns and will review our current buoy locations.

MARSHAL'S REPORT: Town Marshal Scott reported that he wished to clarify a statement he submitted to the Town bulletin in which he outlined some ideas for improving security on the beach. He stated that he is still studying the issue but has no plans for surveillance equipment, etc. at this time. Clerk-Treasurer Spens interjected that, because the beach is private property, any security improvements would have to be paid for by WABA.

Town Marshal Scott noted that he will spend some time reviewing the roles and responsibilities of his new position.

Mayor Wells brought up the issue of speeding enforcement on Village streets and related her own recent experience with a speeding resident who seemed uninterested in slowing down. Town Marshal Scott stated that he will review the issue. Councilmember Sharp mentioned that he had collected some information about equipment speed signs and indicated that Deputy Marshal Scott Harpster has a strong interest in pursuing this topic. Clerk-Treasurer Spens will get copies of the information about speed signs to Mr. Scott.

Town Marshal Scott brought up the issue of a recent police incident involving Bellevue Police Department. Councilmember Clemett offered a brief summary of the incident and outlined her ongoing concerns, particularly the lack of information provided by the 911 Operator as police moved through her yard in pursuit of a suspect and the failure of Blockwatch to notify neighbors of a potentially serious issue so that they could take action to protect themselves and aid the police in the pursuit (e.g. turning on outdoor lights, locking all doors and windows, etc.).

Town Marshal Scott stated that he and Deputy Marshal Harpster will work to rectify the Blockwatch problem. He added that he has spoken with Bellevue Police about the incident and will contact them again to discuss the 911 concerns in depth.

(Councilmember Leider arrived at 7:45 pm)

It was the consensus of the Council that they would like to meet with Major Dave Germani from the King County Sheriff's Office to discuss the incident with an emphasis on how the Town and its residents can better handle such a situation in the future. Councilmember Leider added that he would like this discussion with the Sheriff to lead to a Town Meeting to review what happened, what worked, what didn't work, etc. Councilmember Sharp suggested that since this is related to Emergency Management, Councilmember Robinson should be the Town Council's representative in these discussions.

Clerk-Treasurer Spens will contact Major Germani to set up a meeting with the Council at

their February meeting, if possible.

WABA REPORT: No report.

WATER REPORT: No report.

EMERGENCY PREPAREDNESS: No report.

TREE-MANAGEMENT PLAN DISCUSSION: Clerk-Treasurer Spens noted that this item was place on the agenda in case there was information ready for Council review and discussion, but she has not received any input for discussion at this time.

PUBLIC HEARING: PROPOSED ORDINANCE NO. 345 AMENDING ORDINANCE NO. 338, THE 2006 BUDGET ORDINANCE: Clerk-Treasurer noted that this public hearing is a continuation of the budget hearings held in October and November. Mayor Wells opened the public hearing at 8:20pm and asked for comments from the public in attendance. As there were none, she closed the public hearing at 8:25pm.

MOTION: Councilmember Leider moved to pass Ordinance No 345 amending Ordinance No. 338, the 2006 Budget Ordinance. Councilmember Sharp seconded.
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PROPOSED ORDINANCE NO. 346 ADOPTING THE 2007 BUDGET:

Councilmember Leider opened the discussion with a presentation of the background to and assumptions used in developing the budget for 2007, including control spending, moderate taxes and fees, users pay for user services, e.g. building and water department, and maintain prudent reserves. He also showed how expenditures have exceeded revenues in five of the last seven years, resulting in a decline in reserves. He closed by recommending some short-term and longer-term solutions, including:

- ensuring that the Town collects all of the permit-related fees and costs to which it is entitled,
- adjusting water rates slightly for 2007 and studied further during the year to determine if an additional increase is needed,
- collecting the second-half of the real estate excise tax (REET) to build up the Town's reserves for capital projects, particularly street repairs,
- deferring portions of the Town's current plan for road improvements until 2008, and
- evaluating other potential revenue sources, including utility taxes.

After discussion by the Council, it was decided that Clerk-Treasurer Spens should prepare an ordinance to allow for the collection of the second half of the REET and a new Fee Resolution to increase water rates from \$35 to \$40 per billing cycle for the first 1400 ccf and from \$0.90 to \$1.00 per 100 ccf over the minimum.

Councilmember Leider asked Clerk-Treasurer Spens to outline the results of her review of permit activity and charges. Clerk-Treasurer Spens noted that when McAndrews was out building-services provider, permit charge overages were limited, but with the hiring of Huitt-

Zollars, their charges for administering our building permits and the costs for inspecting those projects are regularly exceeding the revenue generated by permit and plan-review fees. She added that she has identified how much each project owes for additional charges to the Town and that through August, the overage totals over \$35,000. Councilmember Leider noted that the Council will need to review these extra charges and determine how much to collect from the permit holders.

MOTION: Councilmember Leider moved to approve Ordinance No. 346 adopting a budget for 2007. Councilmember Clemett seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PROPOSED RESOLUTION NO. 232 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT FOR DISTRICT COURT SERVICES WITH KING COUNTY: Clerk-Treasurer Spens explained that the deadline for approving this agreement in December 31, 2006. Mayor Wells added that she wants to try to change the termination clause in the current agreement and would like the Council's authorization to sign the agreement as soon as termination language is agreed upon.

MOTION: Councilmember Leider moved to adopt Resolution No. 232 authorizing the Mayor to execute an Interlocal Agreement for District Court Services. Councilmember Clemett seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

MAYOR AND COUNCILMEMBER REPORTS:

There were no additional reports from the Mayor and Council.

The Council adjourned the regular session and reconvened in Executive Session to discuss salary issues at 9:45pm. At the conclusion of the Executive Session, the Council adjourned the Executive Session and reconvened the open session to announce the award of a \$500 bonus to Clerk-Treasurer Spens for her extra efforts in developing the Permit Activity Reports to identify billing issues in the Building Department.

ADJOURN: Councilmember Leider moved to adjourn the meeting at 10:15pm. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer